

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

SHELTER MUTUAL INSURANCE
COMPANY,

Plaintiff,

vs.

TAMMY TOBIN and KELLY ROSE *as*
Special Administrator of the Estate of Sean
Michael Rose, Deceased,

Defendants.

Case No. 12-cv-959-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff's notice of voluntary dismissal (Doc. 16) and defendants' consent to voluntary dismissal (Doc. 18). Federal Rule of Civil Procedure 41(a)(1)(A)(ii) provides that a plaintiff may dismiss an action without a court order by filing a stipulation of dismissal. Because plaintiff has an absolute right to dismiss this case, this case is **DISMISSED**. The Court further **DENIES** plaintiff's motion to strike answer to complaint (Doc. 10) as **MOOT** and **DIRECTS** the Clerk of Court to close the case.

IT IS SO ORDERED.

DATED: November 16, 2012

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE